



Technical Circular

No.: 056/2020

Date: 17th April 2020

Subject: Tuvalu Marine Circular, MC-4/2020/1 on managing statutory surveys & certificates, ISM, ISPS, MLC 2006 and FSI during COVID-19

1. The Maritime Administration of Tuvalu has issued Marine Circular No. MC-4/2020/1 providing instructions in respect of managing statutory surveys & certificates, audits and inspections during COVID-19 pandemic.
2. The Administration requires that all effort is to be made to maintain the validity of statutory certificates by means of physical and remote survey techniques, where possible.
3. However, where adequate justification and supporting documentation shows that the above is not possible, the Administration, in consultation with the Recognized Organization (with exception of para 3/f), will consider taking the below measures under force majeure **on a case-to-case basis**.
 - a. **Statutory Surveys and Certificates:**
Postponement of survey, servicing of equipment, and/or certificate extension beyond the maximum three (3) months in the event where scheduled surveys (drydock surveys, statutory surveys including IOPP renewal survey) are unable to be performed, either by physical attendance or remote means, due to restrictions imposed by COVID-19.
 - b. **DOC (ISM Code):**
Extending the DOC where the company cannot complete the required initial or annual verifications.
 - c. **SMC (ISM Code):**
 - i. Extending the Interim SMC where the initial ISM shipboard audit cannot be carried out.
 - ii. Extending the intermediate ISM audit and authorize RO to issue Short Term SMC with the corresponding validity.
 - iii. Extending the SMC where the renewal ISM shipboard audit cannot be carried out.
 - d. **ISSC (ISPS Code):**
 - i. Extending the Interim ISSC where the initial ISPS shipboard verification cannot be carried out.



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- ii. Extending the intermediate ISPS verification and authorize RO to issue Short Term ISSC with the corresponding validity.
 - iii. Extending the ISSC where the renewal ISPS shipboard verification cannot be carried out.
- e. MLC (MLC 2006):**
- i. Extending the Interim MLC where the initial MLC 2006 shipboard verification cannot be carried out.
 - ii. Extending the intermediate MLC 2006 verification and authorize RO to issue Short Term MLC with the corresponding validity.
 - iii. Extending the MLC where the renewal MLC 2006 shipboard verification cannot be carried out.
- f. Annual FSI:**
- Extending the annual FSI or consider remote inspection techniques where possible.
4. Applications for any of the above measures is to be made to the Administration at - technical@tvship.com either through the ship owner, ship manager, or RO together with supporting documentation (acceptable in electronic form) which may include following;
- i. Statement from a port authority notifying that the vessel is quarantined and/or that no one is authorized to attend the vessel; or
 - ii. Statement or letter from a Flag State Inspector, RO Auditor and/or RO Surveyor stating that they are unable to attend the vessel in the port where the inspection, audit or survey was scheduled to take place due to travel or port restrictions; or
 - iii. Statement or letter from the shipyard stating that they are unable to accommodate the vessel on the date previously agreed.
5. Ship owners/ operators and masters of Tuvalu flagged ships are advised to be guided by above.

Enclosure: Tuvalu Marine Circular No. MC-4/2020/1.

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MARINE CIRCULAR

MC-4/2020/1

04/2020

FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Recognized Organizations, Port Authorities, Flag State Inspectors

SUBJECT: MANAGING STATUTORY SURVEYS & CERTIFICATES, ISM, ISPS, MLC 2006 AND FSI DURING COVID-19

DEFINITIONS:

The following abbreviations stand for:

- “FSI” – Flag State Inspection
- “ISM Code” – International Management Code for the Safe Operation of Ships and for Pollution Prevention
- “ISPS Code” – International Ship and Port Facility Security Code implemented through chapter XI-2
- “ISSC” – International Ship Security Certificate
- “MLC” – Maritime Labour Certificate
- “MLC 2006” – Maritime Labour Convention, 2006
- “PSC” – Port State Control
- “RO” – Recognized Organization as defined by IMO Resolution A.789(19)
- “SMC” – Safety Management Certificate

The term “Administration” shall mean Tuvalu Ship Registry.

PURPOSE:

This circular is valid up till 31 December 2020, unless otherwise extended, revised or revoked, and serves to address the challenges faced by the shipping industry caused by COVID-19 when it comes to the arrangement of statutory surveys, audits and inspections due to heightened precautionary measures undertaken which have resulted in travel restrictions imposed by countries around the world.

REFERENCES:

- (a) Tuvalu Marine Circular MC-1/2020/1 – Coronavirus Pandemic (COVID-19)

APPLICATION:

This circular applies to all Tuvalu flagged vessels.

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The Administration encourages all government agencies and industry stakeholders to recognize this as a force majeure situation that will necessitate flexibility, and that it is imperative that the owner/manager and the RO work together to maintain the validity of statutory certificates by means of physical and remote survey techniques where possible.

However, where adequate justification and supporting documentation shows that the above is not possible, then the Administration will, in consultation with the RO (with exception of section 6), consider taking the below measures under force majeure on a case-to-case basis.

1. Statutory Surveys and Certificates:

Postponement of survey, servicing of equipment, and/or certificate extension beyond the maximum three (3) months in the event where scheduled surveys (drydock surveys, statutory surveys including IOPP renewal survey) are unable to be performed, either by physical attendance or remote means, due to restrictions imposed by COVID-19.

2. DOC (ISM Code):

2.1. Extending the DOC where the company cannot complete the required initial or annual verifications.

3. SMC (ISM Code):

3.1. Extending the Interim SMC where the initial ISM shipboard audit cannot be carried out.

3.2. Extending the intermediate ISM audit and authorize RO to issue Short Term SMC with the corresponding validity.

3.3. Extending the SMC where the renewal ISM shipboard audit cannot be carried out.

4. ISSC (ISPS Code):

4.1. Extending the Interim ISSC where the initial ISPS shipboard verification cannot be carried out.

4.2. Extending the intermediate ISPS verification and authorize RO to issue Short Term ISSC with the corresponding validity.

4.3. Extending the ISSC where the renewal ISPS shipboard verification cannot be carried out.

5. MLC (MLC 2006):

5.1. Extending the Interim MLC where the initial MLC 2006 shipboard verification cannot be carried out.

5.2. Extending the intermediate MLC 2006 verification and authorize RO to issue Short Term MLC with the corresponding validity.

5.3. Extending the MLC where the renewal MLC 2006 shipboard verification cannot be carried out.

6. Annual FSI:

6.1. Extending the annual FSI or consider remote inspection techniques where possible.

Applications for any of the above measures shall be made to technical@tvship.com either through the ship owner, ship manager, or RO together with supporting documentation.

Examples of supporting documentation (acceptable in electronic form) may include the following:

- a) Statement from a port authority notifying that the vessel is quarantined and/or that no one is authorized to attend the vessel; or
- b) Statement or letter from a Flag State Inspector, RO Auditor and/or RO Surveyor stating that they are unable to attend the vessel in the port where the inspection, audit or survey was scheduled to take place due to travel or port restrictions; or
- c) Statement or letter from the shipyard stating that they are unable to accommodate the vessel on the date previously agreed.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry